

A wide-angle photograph of the Texas State Capitol building in Austin, Texas, taken from an elevated position within the building's courtyard. The Capitol's iconic dome is the central focus, surrounded by the building's wings. The courtyard in the foreground features a multi-story stone wall with arched windows and a central circular area with columns. The sky is filled with soft, dramatic clouds, suggesting a sunset or sunrise. The text "END OF SESSION LEGISLATIVE REPORT" and "82ND TEXAS LEGISLATURE" is overlaid in large, white, bold, sans-serif capital letters across the middle of the image.

# END OF SESSION LEGISLATIVE REPORT 82<sup>ND</sup> TEXAS LEGISLATURE

Elvia C. Lopez | Caballero Governmental Affairs  
Tuesday, July 5, 2011

# 82<sup>nd</sup> Legislative Session by the Numbers

- Lawmakers filed 6,303 bills and proposed constitutional amendments. That was a decrease of 1,306 over the 2009 figure.
- As a result, the number of bills passed dropped slightly. In 2009, lawmakers passed 1,468 compared to 1,410 during this legislative session.
- For city related bills, the outcome was lower. Alternatively, cities would have been further impacted in a negative manner

# Numbers by Biennium

Year	Total Bills Introduced	Total Bills Passed	City Related Bills Introduced	City Related Bills Passed
2001	5,712	1,621	1,200 plus	150 plus
2003	5,754	1,403	1,200 plus	110 plus
2005	5,369	1,397	1,200 plus	105 plus
2007	6,374	1,495	1,200 plus	120 plus
2009	7,609	1,468	1,500 plus	120 plus
2011	6,303	1,410	1,500 plus	160 plus

# Major State Wide Legislation

- **Budget:** On opening day of the legislative session in January, the legislature was facing a daunting \$25 billion shortfall. Legislators focused on ensuring that taxes were not raised and that the state's public schools and universities, the mentally ill and nursing home residents were protected. In the process, a two year budget totaling \$172.3 billion, a \$10 billion decrease from current spending levels was passed.
- **Water Development Board:** SJR 14 proposes a constitutional amendment that, if adopted, would allow the Water Development Board to issue bonds on a continuing basis not to exceed \$6 million. The amendment will be on the ballot on November 8, 2011.
- **TxDOT Design-Build Authority:** SB 1420 authorizes TxDOT to use design-build procedures for up to three projects per year, with a construction cost estimate of a \$50 million limit.

# Major State Wide Legislation

- **Election Reforms:** SB 14 is the “voter ID bill” and it does the following: (1) requires a voter to present one form of acceptable identification to an election officer at the polling place in order to vote (2) requires the voter registrar of each county and the secretary of state to provide notice of voter identification requirements and to educate voters about the requirements through certain programs by publishing notice on certain websites
- **Eminent Domain:** SB 18 restricts procedures for the use of eminent domain. A city must authorize eminent domain in a public meeting and should submit letter to the comptroller by 12/31/12 stating statutory authority. Allows acquisition of property by eminent domain through lease. Expands right of repurchase if there is no actual progress for public use.
- **Ethics Reform:** The house passed HB 1616, which strengthens the reporting requirements of political contributions and expenditures

# Texas Municipal League Policy Committee

## Finance and Administration:

- **HB 2169** provides that a city council may rescind a property tax discount previously adopted by the city council and the rescission takes effect beginning in the year following the year in which the discount is rescinded (effective immediately)
- **HB 1643 development agreements:** a governmental body of a city may make a written contract for which the total duration and any successive renewals or extensions may not exceed 45 years with an owner of land that is located in the extraterritorial jurisdiction of the city to guarantee the continuation of the extraterritorial status of land and its immunity from annexation by the city (effective immediately)

# Texas Municipal League Policy Committee

- **HB 2690 sale of real property:** The bill would amend the Local Government Code to exempt a local governmental entity from notice and bidding requirements for land sales at below market value if the land is to be sold or donated to another political subdivision and will benefit the public interest of the donating or selling subdivision



# Texas Municipal League Policy Committee

## Personnel:

- **SB 545** A police chief must notify the Texas Commission on Law Enforcement Officer and Education when an officer is terminated, the officer may dispute the report by submitting an appeal to the State Office of Administrative Hearings.
  
- **HB 159** Texas Municipal retirement system: provides that an individual shall receive a lump-sum payment in an amount equal to the sum of the service retirement annuity payments if the person (1) retired based on a bona fide termination of employment (2) resumes employment with the reemploying city at least eight years after the effective date of the person's retirement and (3) retires after the effective date of the bill (effective September 1, 2011)



# Texas Municipal League Policy Committee

## Utilities, Transportation and Environment:

- **SB 1087** cable franchises: provides that (1) an entity providing cable service or video service under a franchise agreement with a city is bound to that agreement until it expires or it terminates under the bill (2) beginning September 1, 2011, a cable service provider or video service provider in a city with a population of less than 215,000 that was not allowed to, or did not, terminate a municipal franchise may elect to terminate
- **HB 971** electric transmission/eminent domain: makes changes to the routing of certain electric transmission lines. Of particular interest to cities, the bill provides that, for certain electric transmission facilities ordered or approved by the Public Utilities Commission, the electric provider's right of eminent domain can be exercised across all public land (e.g. municipal property), except land owned by the state (effective immediately)

# City of Weslaco – Other Legislation of Interest

## Elections:

- **SJR 37** will amend the “resign to run” provision in the Texas Constitution by requiring an officer to resign to run for another office only if the unexpired term of the office exceeds one year and thirty days from the date the officer becomes a candidate for the new office (election on November 8, 2011)

# City of Weslaco – Other Legislation of Interest

## Park Funding:

- **HB 4** is the supplemental appropriations bill, which reduces funding for parks from proceeds of the sporting good sales tax during the current 2010-2011 biennium by \$300,000. The bill also reduces funding for the large county and municipality recreation parks account by \$200,000 during the current biennium (effective immediately)

## Hotel Tax:

- **HB 2048** will a city to perform an audit to determine delinquency in hotel occupancy tax payments to the city. The city must provide a 30-day notice to the hotel prior to commencing the audit. The city shall notify the comptroller's office of a failure of noncompliance.

# City of Weslaco – Legislative Effort

## **Mid Valley Airport:**

- \$2 million was requested from the Texas Legislature for the widening of the airport
- The Texas Department of Transportation agreed to include the widening of the runway in the overall project costs

# Letter from TxDOT

***Texas Department of Transportation***

AVIATION DIVISION

125 E. 11TH STREET • AUSTIN, TEXAS 78701-2483 • 512/416-4500 • FAX 512/416-4510

March 31, 2011

The Honorable Miguel D. Wise  
Mayor, City of Weslaco  
225 South Kansas Avenue  
Weslaco, Texas 78596-6158

Re: Mid Valley Airport Runway Widening

Dear Mayor Wise:

This letter confirms our intent to widen the Mid Valley Airport runway from 70' to 75' as an additional goal of the runway extension project. We have asked your engineering consultant, Craig Phipps, to consider alternatives to accomplish this task and provide an estimate of probable costs for a five foot widening of the runway. As soon as we can evaluate and confirm this estimate, the widening component will be added to the Airport Capital Improvement Program. Updated costs for the extension will also be added to reflect the 75' width. As soon as it is available, the new estimate will be shared with the City.

Please do not hesitate to contact me or your airport planner, Sandra Braden, should you have any questions.

David S. Fulton  
TxDOT Aviation Division Director  
DSF:SGB:kgs

# Interim Activities

- Monitor the hearing schedules of the house and senate committees over the interim
- Provide testimony on interim charges
- Participate in Texas Municipal League's Policy Committee, which will establish a legislative agenda for 2013
- Monitor the implementation of legislation passed during the 82 legislative session at the agency level
- Continue to build our relationships with local legislative delegation, committee chairmen and leadership

# Preparation for the 83<sup>rd</sup> Texas Legislative Session 2013

**What can you do as a council member to become active in the city of Weslaco's legislative program?**

1. Take an interest in the legislative process
2. Serve on a TML Policy Committee
3. Share policy issues you may have an interest in with staff to get into our short list of legislative priorities for consideration
4. Volunteer to testify at a legislative committee on behalf of the city (elected officials like to hear from other elected officials)
5. Keep informed through your professional/civic organizations of legislative issue



# Preparation for the 83<sup>rd</sup> Texas Legislative Session 2013

## How does the city staff formulate our legislative agenda?

1. Input from department heads on issues affecting their operations
2. Input from community on community wide initiatives
3. In response to a specific program such as graffiti eradication
4. Through our partnership with TML and advisement from legislative consultant in Austin
5. Feedback from council

# Thank You

In closing, we would like to thank our delegation and their capable staff. As a result of our exceptional working relationship this past session and previous sessions, the city has received:

- (1) \$500,000 grant to Boys and Girls Club
- (2) \$400,000 grant to the Nature Center
- (3) \$2,000,000 inclusion to the existing airport expansion project